

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK CONRAD FAUROT, II,

Plaintiff, No. CIV S-05-0341 LKK KJM P

vs.

TERHUNE, et al.,

Defendants. ORDER

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Plaintiff is a state prisoner proceeding pro se. On October 16, 2006, petitioner filed a notice of interlocutory appeal with respect to the district court's September 12, 2006 order and a request to proceed in forma pauperis on appeal. The district court's September 12, 2006 order is not appealable at this stage of this case. See 28 U.S.C. § 1292. Therefore, IT IS HEREBY ORDERED that plaintiff's October 16, 2006 application to proceed in forma pauperis on appeal is denied.

DATED: October 30, 2006.



U.S. MAGISTRATE JUDGE

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